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*Le Président*

The President

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The European Commission  
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Brussels, 3 November 2010

To whom it may concern,

The Council of Bars and Law Societies of Europe (CCBE) is the representative organisation of around 1 million European lawyers through its member bars and law societies from 31 full member countries, and 11 further associate and observer countries.

The CCBE has considered the Commission's public consultation on the future of electronic commerce in the internal market and the implementation of the Directive on Electronic commerce (2000/31/EC).


As the representative organisation of the lawyer's profession at a European level, the CCBE would like to comment on issue 3 which raises, inter alia, a question about existing 'obstacles' to the development of European codes of conduct for on-line commercial communications for regulated professions.

First, the CCBE would like to recall that professional rules for lawyers fall in the competence of the Member States and within the autonomy of the professional bodies.

The CCBE would like to stress that there are no 'obstacles' concerning the lawyer's profession. The CCBE Code of Conduct provides in article 2.6 that 'personal publicity by a lawyer in any form of media such as by the press, radio, television, by electronic commercial communications or otherwise is permitted' provided that 'it is accurate and not misleading and respectful of the obligation of confidentiality and other core values of the profession' (for a copy of the Code, [click here](#)).

The CCBE would like to note that Article 8 of the Directive works well. It recognises the role of lawyers and the obligations to which they are subject when it refers to "the professional rules, in particular independence, dignity and honour of the profession, professional secrecy and fairness towards clients and other members of the profession". The CCBE would see no reason to change this provision.

The CCBE would appreciate being kept informed about the outcome of the consultation and any follow-up initiatives of the Commission.



José-María DAVÓ-FERNÁNDEZ  
President